

**State of West Virginia
Office of Economic Opportunity**

**Emergency Solutions Grants Program
Substantial Amendment
FY 2011 Annual Action Plan**

Submitted to:

**The U.S. Department of Housing & Urban Development
Pittsburgh Field Office
1000 Liberty Avenue
Pittsburgh, PA 15222**

Overview

The State of West Virginia Office of Economic Opportunity administers the Emergency Solutions Grants Program (ESG), formerly known as the Emergency Shelter Grants Program. The change in name from the Emergency Shelter Grants Program to the Emergency Solutions Grants Program reflects the change in the program's focus from addressing the need of homeless people in emergency or transitional shelters to assisting people to quickly regain stability in permanent housing after experiencing a housing crisis or homelessness.

The ESG program goals are to help nonprofit organizations, including community and faith-based organizations, provide emergency over-night and day shelter; provide supportive services for homeless individuals and families; and provide effective homelessness prevention and rapid re-housing programs throughout the State of West Virginia.

The ESG Program changes are a result of the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act). The HEARTH Act consolidated three homeless assistance programs administered by HUD into a single grant program. In addition the HEARTH Act requires increased coordination and collaboration between ESG grantees and local Continuum of Care will result in the development of performance and outcome measures as well as collaborative funding decisions.

Consultation - Describe how OEO consulted with the CoC's regarding allocation of funds, development of performance standards, and developed funding and policies for HMIS

Response: The State of West Virginia Office of Economic Opportunity (OEO) has a long history of collaboration with other government agencies and partners in order to meet the housing and supportive service needs of the most vulnerable populations in West Virginia. OEO intends to continue the already proven efforts. The State ESG program will further the goals of the Continuums of Care and continue working toward the shared goal of ending homelessness by establishing common performance goals.

The long history between OEO, the WV Department of Health and Human Services, Department of Education, the Cabell-Wayne Continuum of Care, the Kanawha Valley Collective, the Northern Panhandle Continuum of Care, and the West Virginia Coalition to End Homelessness will only serve to complement the expansion of the Emergency Solutions Grants funding by OEO. OEO has worked closely with the three ESG entitlement areas of the City of Wheeling, the City of Charleston, and the City of Huntington.

Through this already strong partnership OEO is working to ensure that each project funded will assist their communities and the Continuums of Care to meet the goals set forth by HUD and reach the best possible outcomes for individuals and families facing homelessness. OEO's HMIS Coordinator is located on-site at the WVCEH offices.

Beginning February 1, 2012, the Office of Economic Opportunity sought input from the four Continuums of Care in the State. Bi-weekly ESG planning conference calls were held with the goals of developing standards:

- to allocate funds for eligible activities;
- performance standards;
- tools to evaluate the outcomes of ESG assisted projects;
- funding, and policies and procedures for the administration and operation of the HMIS.

The Office of Economic Opportunity coordinated with the Continuums of Care to ascertain additional HMIS needs and will be providing funding to meet those needs. Currently there is no mechanism for successfully aggregating statewide HMIS data as each CoC utilizes different HMIS systems. OEO is planning to fund a data warehouse that will have the ability to offer statewide HMIS data to OEO and the CoC partners.

A statewide planning group meeting was held March 28, 2012 at the Office of Economic Opportunity.

Citizen Participation- Summarize our Citizen Participation process, public comment accepted, and public comment not accepted and why.

OEO kept interested potential partners and other formula funded areas abreast of all planning for use of the Emergency Solutions Grants funding allocated to this office. On a statewide level, planning meetings and conference calls were held between OEO and members of the four Continuums of Care as well as city leads in ESG entitlement areas. An in-person statewide planning meeting was held March 28, 2012 where all interested members of the public as well as members of the Continuums of Care attended and input and recommendations were solicited from all present.

Five public hearings were held to allow for continued consistency and transparency in the planning and implementation of the new Emergency Solution Grants projects. The public hearings were held on April 17, April 18, and April 19, 2012 in Wheeling, Martinsburg, Fairmont, Beckley, and Charleston, respectively. The notice of the public hearings was published two weeks prior to the hearings in six newspapers allowing for every region of the State to receive notification. In addition, public hearing notices were emailed to a substantial list of partners as well as local and state agencies. The public hearing comments period was not shortened and the final date for submission of public comment was May 7, 2012.

☐ Grantee did not receive public comments

☒ Grantee did receive and accepted all public comments

☐ Grantee received public comments and did not accept one or more of the comments

The draft Substantial Amendment was made available prior to the public hearings by email to a large list of community partners as well as posted in its entirety on the Office of Economic Opportunity's website. Printed copies were available at the public hearing and time was allotted for participants to familiarize themselves with the amendment prior

to the beginning of the hearing. The public hearings held by OEO and documented using a professional reporting firm.

All public comment follows:

- Given the tremendous growth in population in Berkeley County and the Eastern Panhandle of West Virginia over the past decade or so, the relative availability of assisted/subsidized housing resources has not grown to meet the need in our community. The population of Berkeley County grew 27% between the 2000 and 2010 Census. During that same period, the Martinsburg Housing Authority's Annual Contributions Contract for 289 rental assistance vouchers (Section 8) has been static, resulting in only 250 households being served each year, given the increase in rent levels. The Section 8 waiting list has remained closed since the fall of 2009. Public housing waiting lists only opened recently after being closed for over a year. If the goal of the state's ESG Annual Action Plan is to prevent homelessness and to rapidly re-house those who are homeless, our community must have the affordable housing resources to support low income households. Our local continuum of care estimates that over 12,500 renter households are eligible for housing assistance, but we have assistance/units for only 2,152 households – meeting less than 20% of the need. This has resulted in over 46% of renters to be cost burdened, paying more than 30% of monthly income for rent. Nearly a fourth of renter household pay more than 50% of their income for rent. The efficacy of ESG funding will be severely limited if at-risk households will still pay too much for housing once their individual housing crisis has been resolved. I urge the State of West Virginia to work with our local housing authorities, our federal elected officials and US HUD to address this situation in a constructive manner – breaking through the “silos” of program delivery.

Match Funds

Local units of government (subgrantees) and/or their project sponsors are required to provide dollar for dollar matching funds. Matching sources will include cash and non-cash contributions for allowable costs and may be federal, state, or local. It is expected that sources used in past Emergency Shelter Grants program for match will be used in the second allocation as well.

Types of match accepted are:

- Cash contributions for allowable costs including staff salaries and fringe benefits
- Noncash contributions
 - Services provided by volunteers are matched at the current minimum wage salary unless the recipient can verify a higher rate of pay for current employees performing similar work.
 - Real property, equipment, goods or services that if the recipient had to pay for them with grant funds, the payments would have been indirect costs.

- The value of donated goods and services such as clothing, food, diapers, health and toiletry items, etc. The value placed should be consistent with OMB Circulars 87 and A-122.
- Costs paid by program income provided the costs are eligible ESG costs that supplement the ESG program.

Proposed Activities and Overall Budget

OEO proposes to combine the FY 2011 second allocation with the FY 2012 allocation to allow for more efficient and effective grant management. No funds from the FY 2011 second allocation will be used for Street Outreach or Emergency Shelter. The Second allocation of funds in the amount of \$519,018 will be allocated for Rapid Re-Housing, Homelessness Prevention, HMIS, and administration of the program. The full FY 2012 ESG allocation will be used to provide funding for Emergency Shelter, Homelessness Prevention, Rapid Re-Housing, HMIS, and administration. All activities within this project will be completed no later than June 30, 2013.

All projects funded under the ESG FY 2011 second allocation will work towards HUD's primary strategies outlined in Opening Doors: Federal Strategic Plan to Prevent and End Homelessness which are to:

- 1) Finish the job of ending chronic homelessness by 2015;
- 2) Prevent and end homelessness among Veterans by 2015;
- 3) Prevent and end homelessness for families, youth and children by 2020; and
- 4) Set a path to ending all types of homelessness.

The program activities will be targeted to those individuals and households with an Area Median Income of 0-30% and meet the requirements set forth by the U.S. Department of Housing and Urban Development. These include outreach to those at-risk of homelessness, and those with special needs including but not limited to the elderly, those with mental illness, physical and developmentally disabled, and victims of domestic violence.

Detailed Budget

OEO is not reprogramming any of the FY 2011 funds from the first allocation. The detailed budget (Table 3) follows.

FY 2011 Detailed Budget Table					
First Allocation	\$922,698.00	FY 2011			
Second Allocation	\$519,018.00	Emergency Shelter Grants/Emergency Solutions Grants			
Grant Amount	\$1,441,716.00	Program Allocations			
Total Administration	\$108,128.70				
		First Allocation		Second Allocation	Total Fiscal Year 2011
	Eligible Activities	Activity Amount	Reprogrammed Amount	Activity Amount	Activity Amount
Emergency Shelter Grants Program	Homeless Assistance	\$869,156.10	\$0.00		\$869,156.10
	Rehab/Conversion	\$0.00			\$0.00
	Operations	\$707,079.49			\$707,079.49
	Essential Services	\$162,076.61			\$162,076.61
	Homelessness Prevention	\$7,407.00			\$7,407.00
	Administration	\$46,134.90			\$46,134.90
	Emergency Shelter Grants Subtotal	\$922,698.00	\$0.00		\$922,698.00
Emergency Solutions Grants Program	Emergency Shelter**			\$0.00	\$0.00
	Renovation**			\$0.00	\$0.00
	Operation**			\$0.00	\$0.00
	Essential Service**			\$0.00	\$0.00
	URA Assistance**			\$0.00	\$0.00
	Street Outreach - Essential Services**			\$0.00	\$0.00
	HMIS			\$33,606.42	\$33,606.42
	Rapid Re-housing		\$0.00	\$267,891.14	\$267,891.14
	Housing Relocation and Stabilization Services				\$66,972.79
	Tenant-Based Rental Assistance				\$200,918.35
	Project-Based Rental Assistance				\$0.00
	Homelessness Prevention		\$0.00	\$178,594.09	\$178,594.09
	Housing Relocation and Stabilization Services				\$26,789.11
	Tenant-Based Rental Assistance				\$151,804.98
	Project-Based Rental Assistance				\$0.00
	Administration			\$38,926.35	\$38,926.35
	Emergency Solutions Grants Subtotal		\$0.00		\$519,018.00
		Total Grant Amount:		\$1,441,716.00	

**Allowable only if the amount obligated for homeless assistance activities using funds from the first allocation is less than the expenditure limit for emergency shelter and street outreach activities (see Section III.B. of this Notice).

ESG FY 2011 Second Allocation

Activity	Funding	Households served
Shelter - Essential Services	\$0	
Shelter - Operations	\$0	
Homelessness Prevention - Relocation & Stabilization	\$26,789.11	51
Homelessness Prevention - Rental Assistance	\$151,804.98	290
Rapid Re-Housing - Relocation & Stabilization	\$66,972.79	168
Rapid Re-Housing - Rental Assistance	\$200,918.35	506
HMIS	\$33,606.42	N/A
Administration	\$38,926.35	N/A
Total Funding	\$519,018.00	1015

Administration

The \$38,926.35 administration costs are within the allowable 7.5% administration of the second allocation funds. These funds will be shared with units of local government who in turn may share a portion with their subgrantees.

Homeless Management Information System (HMIS)

HMIS system improvements will need to be made in order to fully reflect the changes in the ESG system. Accurate HMIS data will also enable us to gain a more informed understanding of the problems of homelessness in different areas of the State. The data gained from HMIS will be used to develop both local and statewide policy and procedures regarding the nature and extent of homelessness, capture client level data and assist agencies in tracking outcome measures for each potential program participant.

In addition HMIS allows sites to:

1. Pull aggregate data to assist with targeting efforts and determine service and housing gaps.
2. Improve agency effectiveness through tracing client outcomes.
3. Educate the public about the unduplicated number and characteristics of homeless individuals and families in their communities.
4. Coordinate services, internally among agency programs and externally with other providers
5. Assist agencies to improve performance and meet HUD's three goals of Housing Stability:
 - ~Achieve residential stability
 - ~Increase resident's skill level and/or incomes
 - ~Obtain greater self-determination (i.e., more influence over decisions that affect their lives)
6. Decrease duplicate intakes, streamline referrals, and coordinate case management for homeless men, women, and children.

HMIS is also used for reporting for the Homelessness Prevention and Rapid Re-Housing Program, the HUD-required Point In Time Counts, Annual Homeless Assessment Reports, Annual Progress Reports, CoC Housing Inventory Charts for Exhibit 1, and Quarterly Progress Reports for HPRP reporting. Policies and procedures are already in place for all end users of the CoC-specific HMIS systems.

Currently four HMIS systems are in use in the State of West Virginia. OEO will fund the Balance of State Continuum of Care and the Northern Panhandle Continuum of Care for upgrades and staffing needed to continue the HMIS projects.

Performance Standards

1. To establish a baseline all sites receiving ESG funding for shelter operations will collect data that reflects the number of new residents, the length of stay of each resident, the number of residents exiting the program, and whether those exiting were exiting to permanent housing.
2. All sites receiving ESG funding will use their CoC's HMIS system and adhere to the HMIS policies and procedures in use by their CoC.

Goals

- Improve HMIS data quality and coverage.
- Improve coordination of services.
- Use data to develop strategies and policies to end homelessness

Shelter - Essential Services and Operations

The first allocation of FY 2011 ESG has been made and OEO met the hold harmless threshold using the amount of FY 2010 grant funds spent on Homeless Assistance activities. During consultation with the existing CoC's it was decided that this same formula will be used to fund those shelter providers receiving funds in FY 2011 so the State can provide funding beginning July 1, 2012. All other FY 2011 funding will be used for Homelessness Prevention, Rapid Re-Housing, HMIS, and administration and will use a funding matrix developed by the Continuums of Care in collaboration with OEO. These specific funding matrixes have not been finalized but will be developed and implemented to be used with the FY 2011 second allocation.

Performance Standards

1. To establish a baseline all sites receiving ESG funding for shelter operations will collect data that reflects the number of new residents, the length of stay of each resident, the number of residents exiting the program, and whether those exiting were exiting to permanent housing.
2. 90% of sheltered households or individuals will have an initial meeting with a case manager within 3 days of entering the program.

3. All sites receiving ESG funding will use their CoC's HMIS system and adhere to the policies and procedures of their CoC's HMIS.

Goals

- Reduce recidivism rate by 5% (once consistent methodology used)
- Reduce length of time homeless to 30 days

Homelessness Prevention and Rapid Re-Housing

West Virginia has chosen to prioritize Rapid Re-Housing with the second allocation ESG funds. This choice was made by using data available through OEO's history administering the HPRP program as well as information from the National Low Income Housing Coalition and the National Alliance to End Homelessness. OEO proposes to use \$267,891.14 for Rapid Re-Housing. Another \$178,594.09 will be used for Homelessness Prevention.

The lack of financial assistance for housing costs has been well documented by the demand for assistance through the HPRP program that exceeded the funding available. Using the ESG funding to fund Homeless Prevention and Rapid Re-Housing is essential to slow the growth of the homeless population in West Virginia. As there are no other state funds targeted for either Rapid Re-Housing or Homelessness Prevention it is integral that this ESG funding be used to specifically target those individuals and families most at-risk of homelessness.

West Virginia is one of the most rural states in the nation with the highest poverty rates. As such it is clear that the national objective of Rapid Re-Housing as the greater need is not the case in all areas of the state. In areas where there are emergency shelters there is a greater need for Rapid Re-Housing and all efforts will be made to re-house those individuals and families experiencing homelessness. For a vast area of the State Homelessness Prevention is the best choice for stabilizing families and reducing the incidents of homelessness among the population.

Rapid Re-Housing is available to those who are literally homeless per the November 15, 2011 updated HUD Definition of Homelessness. Rapid Re-Housing can be used to help individuals or families move into permanent housing and achieve housing stability. Eligible Rapid Re-Housing activities will include Housing Relocation and Stabilization Services. Project sponsors providing this assistance must document that the household is homeless and maintain this documentation. No financial assistance may be provided to an individual or family for a purpose and time period supported by another public source.

Homelessness Prevention Services are available only to persons below 30% of the Area Median Income who are homeless or at risk of becoming homeless. Homelessness Prevention may be used to prevent an individual or family from becoming homeless or help an individual or family regain stability in current housing or other permanent housing. Eligible Homelessness Prevention activities will include Housing Relocation and Stabilization Services. Services cannot be provided to an individual or family for a purpose and time period in which another public source is also providing assistance.

Approval of this Substantial Amendment is integral to the quick turnaround time OEO expects will be needed to get a RFP out to interested parties and back for approval. It is anticipated that funding for these programs could begin by September 1, 2012 and will end June 30, 2013.

Homelessness Prevention Performance Standards

1. 100% of assisted individuals or households will have an initial meeting with a case manager within 3 business days of entering the program.
2. 70% of assisted individuals or households will be stably housed within 30 days.
3. 80% of the above 70% will continue to be stably housed after 90 days.

Goals

- Reduce recidivism rate by 5% (once consistent methodology used)
- Reduce length of time homeless to 30 days
- Obtain or increase income growth for homeless families or individuals

Rapid Re-Housing Performance Standards

1. 100% of assisted individuals or households will have an initial meeting with a case manager within 3 business days of entering the program.
2. 70% of assisted individuals or households will be stably housed within 30 days.
3. 80% of those above will continue to be stably housed after 90 days.

Goals

- Decrease shelter stays by increasing Rapid Re-Housing efforts.
- Reduce recidivism rates among those experiencing homelessness.
- Increase shelter diversion using Rapid Re-Housing efforts.
- Reduce length of time homeless to 30 days
- Obtain or increase income growth for homeless families or individuals

Written standards for ESG Assistance

The subgrantees must manage ESG funds for delivery of ESG program services by establishing policies and procedures as required by federal regulations including:

- The subgrantees and their project sponsors must comply with all applicable state and federal policies, standards, and guidelines as specified in the contract and are responsible for ensuring efficient, effective, and proper implementation of the ESG program in its geographic area of responsibility.

- The subgrantees and their project sponsors will ensure proper management of ESG funds in compliance with HUD regulations and OEO requirements. The Subgrantee, in conjunction with their Continuum of Care, may develop more restrictive ESG policies as needed. These local policies:
 - * should not conflict with ESG regulations (24 CFR Part 91 & 576) as developed and amended by HUD or guidance provided by the OEO.
 - * may address, but are not limited to, issues surrounding moving program participants into the Housing Choice Voucher Program (Section 8) or other affordable housing programs, setting financial caps for financial assistance, and setting stricter eligibility requirements beyond standard guidelines.
- The subgrantees administrative costs shall not exceed seven (7.5) % of the amount of funds received by the subgrantee. Administrative costs include all non-service costs and indirect costs.
- Management of grant funds: Attention must be given to assuring that ESG funds are available throughout the project year and are not expended prematurely. Having knowledge of current caseloads and expenditures by program participant, waiting lists, and past HPRP experience can be used to effectively plan services.
- Each ESG subgrantee must be an active member in their Continuum of Care and work with their CoCs to fulfill the HUD specific goals of the CoC. The CoC will further engage and coordinate resources amongst other entities to improve current programs and funding.

Screening and Assessment

The key to the success of any program is proper screening and assessment process which explores the individual or household situation and highlights their unique housing and supportive service needs. Based on the assessment the individual or household should be referred to the most appropriate kinds of housing and services. Resources should be targeted to households with the highest likelihood of becoming homeless.

The subgrantees or their project sponsors must conduct an initial evaluation to determine the eligibility of each individual or family for ESG assistance. The types and amount of assistance needed should be outlined in the assessment. The program participant's eligibility, including types and amounts of assistance, must be re-evaluated not less than once every three months for Homelessness Prevention assistance and not less than once annually for those receiving Rapid Re-Housing assistance.

The re-evaluation should establish that the program participant does not have an income level that exceeds the 30 % ESG program maximum. It must also establish that the program participant continues to lack sufficient resources and support networks necessary to retain housing without ESG assistance. The standard for calculating eligibility income can be found under 24 CFR 5.609.

Adequate verification of income is very important since it not only affects eligibility but also the amount of assistance that can be provided on behalf of the program participant. All

anticipated income to be received by the program participant/family must be verified and included in determining income eligibility, unless the income is specifically excluded.

Subgrantee or project sponsor staff must document in the applicant's case file all appropriate case management and supportive services that are provided or offered. The subgrantee must obtain and keep on file copies of utility bills, invoices, and rental leases for which ESG assistance is provided.

The subgrantee or project sponsor may establish more restrictive criteria for their participant eligibility. They may also choose to require eligible participants to pay a portion of their income towards rent. If caps or restrictions are to be applied there must be prior approval by OEO.

By statute, an ESG program participant must be income-eligible, have a verifiable episode which has put the individual or family at risk of homelessness, and in the case of Homelessness Prevention be a named occupant/tenant on a valid lease/rental agreement or owner of a dwelling. The subgrantee or project sponsor must establish a written policy describing the more restrictive eligibility criteria and priorities for serving program participants to ensure eligibility criteria are applied in a uniform, consistent, and non-discriminatory manner. For example, a subgrantee or project sponsor may establish priorities for:

- Types of emergencies to be considered
- An annual or financial cap per program participant or household
- Priority system for program participants (e.g., individuals who are unemployed, those moving from shelter to permanent housing, those who are being discharged from the hospital, who are disabled, Special Needs program participants, those on a HUD waitlist, family situation, etc.)
- Utility assistance restrictions (including assisting with utilities in cases where the tenant will lose their housing if their utilities are shut off - this can be outlined in a lease or housing contract)

Subgrantees and project sponsors must make payments directly to the landlord or utility provider. No payments may be made to the program participant. Rapid Re-Housing or Homeless Prevention payments cannot be made on behalf of a program participant for a particular period of time or housing cost if assistance is also being provided for that same period of time/cost through another federal, state, or local housing subsidy program. Mortgage assistance is not an eligible activity under this program.

All ESG Rapid Re-Housing (RRH)-assisted housing must meet both state and local housing standards and HUD's habitability standards. Subgrantees or project sponsors must certify that all RRH-assisted households are safe, decent, and sanitary by completing a Housing Quality Standards (HQS) Certification of their choice. The case manager or other designee must make a home visit to determine the overall suitability of the rental property and certify that it meets the standards listed on the form. The quality standards listed should be interpreted using the best judgment of the case manager. No specialized training is required.

Eligibility for ESG Program

In order to receive ESG assistance all individuals or households must meet the new HUD definition of Homelessness. That definition is:

- (1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
 - (i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
 - (ii) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals); or
 - (iii) An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;
- (2) An individual or family who will imminently lose their primary nighttime residence, provided that:
 - (i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;
 - (ii) No subsequent residence has been identified; and
 - (iii) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing;
- (3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:
 - (i) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)) or section 725 of the McKinney-Vento

Homeless Assistance Act (42 U.S.C. 11434a);

(ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;

(iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and

(iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or

(4) Any individual or family who:

(i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;

(ii) Has no other residence; and

(iii) Lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, to obtain other permanent housing.

AND

Given the definition above in order to receive services the applicant's household income must be less than 30 % of the area median income.

Applicants can be prioritized using the risk factors set forth by HUD. Applicants must have at least one of the risk factors to receive assistance. The gross rent (rent plus utilities) for a unit cannot be more than the HUD established Fair Market Rent for the area and must also meet Rent Reasonableness test. The ESG program can be used to pay for either short-term or medium-term rent. Mortgage assistance is not an eligible activity under this program. It is suggested that all households with income be expected to pay 30% of their gross income towards their rent.

Prioritization of eligible individuals or families for either Rapid Re-Housing or Homelessness Prevention will be determined by the ESG subgrantee or project sponsor using a risk-based assessment of their choosing at the time of initial intake and screening.

Rapid Re-Housing is available to those who are literally homeless per the November 15, 2011 updated HUD Definition of Homelessness. Rapid Re-Housing can be used to help individuals or families move into permanent housing and achieve housing stability. Project sponsors providing this assistance must document that the household is homeless and maintain this documentation.

No financial assistance may be provided to an individual or family for a purpose and time period supported by another public source.

Process for Making Sub-Awards

OEO will use a competitive process based on similar Request for Proposals (RFP) consistent with the other HUD program administered by OEO. The RFP follows HUD guidelines, demonstrated state need, the current HUD Consolidated Plan and OEO administrative capacity. OEO will collaborate with all existing Continuums of Care; Community Action Agencies, the faith based community, as well as experienced homeless service providers to ensure that the RFP is widely distributed to agencies in order to ensure a seamless level of services. Review of proposals will be a collaborative effort between OEO and the four Continuums of Care.

Applicants will be judged on experience with HPRP & ESG, financial and administrative capacity of their agency, demonstrated community need, and cooperation/collaboration with other organizations, and membership in their local Continuum of Care.

All applicants will be required to collaborate and show a history of collaboration with other local, state, and federal programs. OEO expects applicants to conduct local community planning that prevents duplication and aligns the ESG Program and activities with the Continuum of Care strategies to prevent and end homelessness and encourage links to employment and other programs that support economic self-sufficiency.

Attachments

- Table 1 & 3
- The Office of Economic Opportunity's SF 424
- Required Certifications

Application for Federal Assistance SF-424

Version 02

***1. Type of Submission:**

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

***2. Type of Application**

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s)

*Other (Specify) _____

3. Date Received:

4. Applicant Identifier:

5a. Federal Entity Identifier:

*5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*a. Legal Name: State of West Virginia Office of Economic Opportunity

*b. Employer/Taxpayer Identification Number (EIN/TIN):
55-0515944

*c. Organizational DUNS:
138838532

d. Address:

*Street 1: 700 Washington Street, East
Street 2: 4th Floor
*City: Charleston
County: Kanawha
*State: WV
Province: _____
*Country: USA
*Zip / Postal Code 25301

e. Organizational Unit:

Department Name:
Department of Commerce

Division Name:
Office of Economic Opportunity

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Ms. *First Name: Julie
Middle Name: Britton
*Last Name: Haden
Suffix: _____

Title: Homless Programs Administrator

Organizational Affiliation:
OEO

*Telephone Number: 304-558-8860 ext. 213

Fax Number: 304-558-4210

*Email: Julie.B.Haden@wv.gov

Application for Federal Assistance SF-424

Version 02

***9. Type of Applicant 1: Select Applicant Type:**

A.State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

***10 Name of Federal Agency:**

United States Department of Housing and Urban Development Office of Community Planning & Development

11. Catalog of Federal Domestic Assistance Number:

14.231

CFDA Title:

Emergency Solutions Grants Program 2nd Allocation

***12 Funding Opportunity Number:**

Formula Grant

*Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

All 55 counties in the State of West Virginia

***15. Descriptive Title of Applicant's Project:**

State of West Virginia's program for the operation of emergency shelter, transitional housing, drop-in centers, homelessness prevention, rapid re-housing, Homelessness Management Information System, and administration.

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

*a. Applicant: II

*b. Program/Project: I, II, III

17. Proposed Project:

*a. Start Date: July 1, 2012

*b. End Date: June 30, 2014

18. Estimated Funding (\$):

*a. Federal	\$519,018
*b. Applicant	
*c. State	
*d. Local	
*e. Other	
*f. Program Income	
*g. TOTAL	\$519,018

*19. Is Application Subject to Review By State Under Executive Order 12372 Process?

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on _____
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E. O. 12372

*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)

☐ Yes ☒ No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

Authorized Representative:

Prefix: Ms. *First Name: Julie

Middle Name: A.

*Last Name: Alston

Suffix:

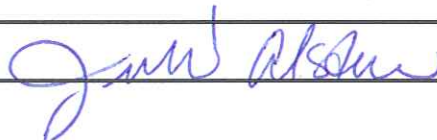
*Title: Director

*Telephone Number: 304-558-8860 ext. 312

Fax Number: 304-558-4210

* Email: Julie.A.Alston@wv.gov

*Signature of Authorized Representative:



*Date Signed: 4/30/12

Application for Federal Assistance SF-424

Version 02

***Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

N/A

STATE CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the State certifies that:

Affirmatively Further Fair Housing -- The State will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the state, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace -- It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about -
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under

subparagraph 4(b), with respect to any employee who is so convicted -

- (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.


Anti-Lobbying -- To the best of the State's knowledge and belief:

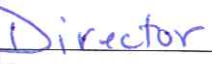
- 1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
- 2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
- 3. It will require that the language of paragraphs 1 and 2 of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of State -- The submission of the consolidated plan is authorized under State law and the State possesses the legal authority to carry out the programs under the consolidated plan for which it is seeking funding, in accordance with applicable HUD regulations.

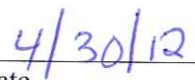
Consistency with plan -- The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.



Signature/Authorized Official


Title



Date

Specific CDBG Certifications

The State certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR §91.115 and each unit of general local government that receives assistance from the State is or will be following a detailed citizen participation plan that satisfies the requirements of 24 CFR §570.486.

Consultation with Local Governments -- It has or will comply with the following:

1. It has consulted with affected units of local government in the nonentitlement area of the State in determining the method of distribution of funding;
2. It engages in or will engage in planning for community development activities;
3. It provides or will provide technical assistance to units of local government in connection with community development programs; and
4. It will not refuse to distribute funds to any unit of general local government on the basis of the particular eligible activity selected by the unit of general local government to meet its community development needs, except that a State is not prevented from establishing priorities in distributing funding on the basis of the activities selected.

Local Needs Identification -- It will require each unit of general local government to be funded to identify its community development and housing needs, including the needs of low-income and moderate-income families, and the activities to be undertaken to meet these needs.

Community Development Plan -- Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objectives of Title I of the Housing and Community Development Act of 1974, as amended. (See 24 CFR 570.2 and 24 CFR part 570)

Use of Funds -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);
2. Overall Benefit. The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) 199_, __, and ___. (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;

3. Special Assessments. The state will require units of general local government that receive CDBG funds to certify to the following:

It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It will require units of general local government that receive CDBG funds to certify that they have adopted and are enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Compliance with Laws -- It will comply with applicable laws.

N/A
Signature/Authorized Official

N/A
Date

N/A
Title

Specific HOME Certifications

The State certifies that:

Tenant Based Rental Assistance -- If it intends to provide tenant-based rental assistance:

The use of HOME funds for tenant-based rental assistance is an essential element of the State's consolidated plan.

Eligible Activities and Costs -- It is using and will use HOME funds for eligible activities and costs, as described in 24 CFR § 92.205 through §92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in §92.214.

Appropriate Financial Assistance -- Before committing any funds to a project, the State or its recipients will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

N/A
Signature/Authorized Official

N/A
Date

N/A
Title

ESG Certifications

Each State that seeks funding under the Emergency Solutions Grants Program must provide the following certifications:

Matching Funds – The State will obtain any matching amounts required under 24 CFR 576.201 in a manner so that its subrecipients that are least capable of providing matching amounts receive the benefit of the exception under 24 CFR 576.201(a)(2).

Discharge Policy – The State will establish and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, mental health facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent this discharge from immediately resulting in homelessness for these persons.

Confidentiality – The State will develop and implement procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter.

The State will ensure that its subrecipients comply with the following criteria:

Major rehabilitation/conversion – If an emergency shelter's rehabilitation costs exceed 75 percent of the value of the building before rehabilitation, the building will be maintained as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation. If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the building will be maintained as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed conversion. In all other cases where ESG funds are used for renovation, the building will be maintained as a shelter for homeless individuals and families for a minimum of 3 years after the date the building is first occupied by a homeless individual or family after the completed renovation.

Essential Services and Operating Costs – If ESG funds are used for shelter operations or essential services related to street outreach or emergency shelter, the subrecipient will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long the applicant serves the same type of persons (e.g., families with children, unaccompanied youth, veterans, disabled individuals, or victims of domestic violence) or persons in the same geographic area.

Renovation – Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary.

Supportive Services – The subrecipient will assist homeless individuals in obtaining permanent housing, appropriate supportive services (including medical and mental health treatment, counseling, supervision, and other services essential for achieving independent living), and other Federal State, local, and private assistance available for such individuals.

Homeless Persons Involvement – To the maximum extent practicable, the subrecipient will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities, in providing services assisted under the ESG program, and in providing services for occupants of facilities assisted ESG.

Consolidated Plan – All activities the subrecipient undertakes with assistance under ESG are consistent with the State's current HUD-approved consolidated plan.


Signature/Authorized Official

4/30/12
Date

Director
Title

HOPWA Certifications

The State HOPWA grantee certifies that:

Activities -- Activities funded under the program will meet urgent needs that are not being met by available public and private sources.

Building -- Any building or structure assisted under the program shall be operated for the purpose specified in the plan:

1. For at least 10 years in the case of any building or structure purchased, leased, rehabilitated, renovated, or converted with HOPWA assistance,
2. For at least 3 years in the case of assistance involving non-substantial rehabilitation or repair of a building or structure.

N/A
Signature/Authorized Official

N/A
Date

N/A
Title

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check ☐ if there are workplaces on file that are not identified here;

This information with regard to the drug-free workplace required by 24 CFR part 21.

7. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C.812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

Table 1: Declaration of FY 2010 Grant Fund Commitments

Activity Type	Obligated Amount
Homeless Assistance	\$867,157.00
Homelessness Prevention	\$6,960.00
Administrative Activities	\$46,005.00
Total FY 2010 Award	\$920,122.00

FY 2011 Detailed Budget Table					
First Allocation	\$922,698.00	<u>FY 2011</u> <u>Emergency Shelter Grants/Emergency Solutions Grants</u> <u>Program Allocations</u>			
Second Allocation	\$519,018.00				
Grant Amount	\$1,441,716.00				
Total Administration	\$108,128.70				
		First Allocation		Second Allocation	Total Fiscal Year 2011
	Eligible Activities	Activity Amount	Reprogrammed Amount	Activity Amount	Activity Amount
Emergency Shelter Grants Program	Homeless Assistance	\$869,156.10	\$0.00		\$869,156.10
	Rehab/Conversion	\$0.00			\$0.00
	Operations	\$707,079.49			\$707,079.49
	Essential Services	\$162,076.61			\$162,076.61
	Homelessness Prevention	\$7,407.00			\$7,407.00
	Administration	\$46,134.90			\$46,134.90
	Emergency Shelter Grants Subtotal	\$922,698.00	\$0.00		\$922,698.00
Emergency Solutions Grants Program	Emergency Shelter**			\$0.00	\$0.00
	Renovation**			\$0.00	\$0.00
	Operation**			\$0.00	\$0.00
	Essential Service**			\$0.00	\$0.00
	URA Assistance**			\$0.00	\$0.00
	Street Outreach - Essential Services**			\$0.00	\$0.00
	HMIS			\$33,606.42	\$33,606.42
	Rapid Re-housing		\$0.00	\$267,891.14	\$267,891.14
	Housing Relocation and Stabilization Services				\$66,972.79
	Tenant-Based Rental Assistance				\$200,918.35
	Project-Based Rental Assistance				\$0.00
	Homelessness Prevention		\$0.00	\$178,594.09	\$178,594.09
	Housing Relocation and Stabilization Services				\$26,789.11
	Tenant-Based Rental Assistance				\$151,804.98
	Project-Based Rental Assistance				\$0.00
	Administration			\$38,926.35	\$38,926.35
	Emergency Solutions Grants Subtotal		\$0.00		\$519,018.00
		Total Grant Amount:			\$1,441,716.00

**Allowable only if the amount obligated for homeless assistance activities using funds from the first allocation is less than the expenditure limit for emergency shelter and street outreach activities (see Section III.B. of this Notice).